

Message

From: Aranda, Amber [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2557889D5F134A3DBC525A2DBF6BFDF2-AARANDA]
Sent: 9/27/2021 7:42:40 PM
To: Oakes, Matthew (ENRD) [Matthew.Oakes@usdoj.gov]; Koch, Erin [Koch.Erin@epa.gov]
Subject: RE: Monsanto petition

Thanks for the update!

Amber L. Aranda
Environmental Protection Agency
Office of General Counsel
202) 564-1737

From: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Sent: Monday, September 27, 2021 10:04 AM
To: Aranda, Amber <aranda.amber@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>
Subject: RE: Monsanto petition

Hi Amber –

It hasn't been filed yet. On September 3 the S.Ct. set an October 4 response date. That date was moved back to November 3 in response to Hardeman's motion. There were three amicus briefs filed. I haven't reviewed those yet, but they are available here: <https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/21-241.html>

-Matt

From: Aranda, Amber <aranda.amber@epa.gov>
Sent: Monday, September 27, 2021 9:57 AM
To: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>; Koch, Erin <Koch.Erin@epa.gov>
Subject: [EXTERNAL] RE: Monsanto petition

Matt – Do you have the Hardeman response brief?

Amber L. Aranda
Environmental Protection Agency
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202) 564-1737

From: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Sent: Monday, August 30, 2021 12:02 PM
To: Koch, Erin <Koch.Erin@epa.gov>
Cc: Aranda, Amber <aranda.amber@epa.gov>
Subject: RE: Monsanto petition

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

From: Koch, Erin <Koch.Erin@epa.gov>
Sent: Monday, August 30, 2021 11:50 AM
To: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Cc: Aranda, Amber <aranda.amber@epa.gov>
Subject: RE: Monsanto petition

Thanks, that is helpful. Ex. 5 Attorney Client (AC)

From: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Sent: Monday, August 30, 2021 11:47 AM
To: Koch, Erin <Koch.Erin@epa.gov>
Cc: Aranda, Amber <aranda.amber@epa.gov>
Subject: RE: Monsanto petition

Ex. 5 Attorney Client (AC)

From: Koch, Erin <Koch.Erin@epa.gov>
Sent: Monday, August 30, 2021 11:42 AM
To: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Cc: Aranda, Amber <aranda.amber@epa.gov>
Subject: RE: Monsanto petition

Matt (looping in Amber too),

Ex. 5 Attorney Client (AC)

Thanks,
Erin

From: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Sent: Monday, August 30, 2021 10:14 AM
To: Koch, Erin <Koch.Erin@epa.gov>
Subject: RE: Monsanto petition

Hi Erin – just following up on scheduling. It looks like Hardeman's response brief to the cert petition is due September 17th. At that point (assuming no extensions) Monsanto will have the option to file a reply (typically within 10 days of the response brief). After everything is fully briefed, assuming any justice indicates interest, it is likely to be added to the conference list. At conference it is possible the Court may ask the United States for our views, by issuing a CVSG.

I'll let you know when I hear that this matter is assigned a conference date.

-Matt

From: Oakes, Matthew (ENRD)
Sent: Monday, August 30, 2021 8:14 AM
To: Erin Koch <Koch.Erin@epa.gov>
Subject: Fwd: Monsanto petition

Hi Erin,

I've attached Monsanto's cert petition in the glyphosate case. This appears written to focus on preemption. I think it's possible (maybe even likely) we will see a CVSG. I'll try to read this through today and follow up.

-Matt